

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELINA GROMINA,
Plaintiff,

-v-

FOREXONIA, LLC, *et al.*,
Defendants.

22-CV-744 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On January 28, 2022, Plaintiff Elina Gromina brought suit against Defendants Forexonia, LLC; Kazmarck Capital, LLC; and Alex Kazmarck. (ECF No. 1.) On August 29, 2023, the Court deemed Defendant Forexonia, LLC and Defendant Kazmarck Capital, LLC to be in default due to their failure to have replacement counsel appear. (ECF No. 35.) On September 29, 2023, Plaintiff filed a motion for default judgment as to all Defendants. (ECF No. 37.)

The Court's order at ECF No. 35, however, deemed only Defendants Forexonia, LLC and Kazmarck Capital, LLC to be in default. No certificate of default has issued against Defendant Alex Kazmarck, and such a certificate is necessary for a motion for default judgment against individual Defendant Kazmarck to be considered proper. Therefore, the motion for default judgment at ECF No. 37 is proper as to only the two entity Defendants—Forexonia, LLC and Kazmarck Capital, LLC—but not as to Defendant Alex Kazmarck.

On December 6, 2023, Defendant Alex Kazmarck filed a response to Plaintiff's motion for default judgment. (ECF No. 43.) Plaintiff is directed to file a response to that submission on or before December 21, 2023.

Plaintiff is also directed to serve a copy of this order on Defendants, including Defendant Alex Kazmarck, by both e-mail and mail within seven days.

SO ORDERED.

Dated: December 7, 2023
New York, New York



J. PAUL OETKEN
United States District Judge